

## NOTICE OF CLASS ACTION SETTLEMENT

SunTrust Bank, ATM, Case No. 3:09-0706

**IF YOU USED THE SUNTRUST BANK ATM LOCATED AT 1109 MURFREESBORO ROAD IN FRANKLIN, TENNESSEE, OR AT 15568 OLD HICKORY BOULEVARD IN NASHVILLE, TENNESSEE, BETWEEN AUGUST 1, 2008 AND AUGUST 7, 2009, AND WERE CHARGED A TRANSACTION FEE BY SUNTRUST BANK FOR MAKING A CASH WITHDRAWAL FROM THAT ATM, YOU MAY BE A CLASS MEMBER. THIS SETTLEMENT MAY AFFECT YOUR RIGHTS.**

This notice relates only to the ATM operated by SunTrust Bank located at 1109 Murfreesboro Road, Franklin, Williamson County, Tennessee, or at 15568 Old Hickory Boulevard, Nashville, Davidson County, Tennessee, and a lawsuit about the charging of transaction fees by SunTrust Bank at these two ATMs. Terrell Parker sued SunTrust Bank under a law called the Electronic Fund Transfer Act on the grounds that the ATMs at Issue did not have the required on-machine notice of ATM fees.

The settlement includes all consumers who from August 1, 2008 to August 7, 2009, used the ATM located at 1109 Murfreesboro Road, Franklin, Williamson County, Tennessee, and/or at 15568 Old Hickory Boulevard, Nashville, Davidson County, Tennessee, and were charged a transaction fee by SunTrust Bank for making a cash withdrawal from that ATM. These people are called "Class Members," and the time period that is covered is called the "Class Period." Under the law, the maximum that a group of consumers may recover in a case like this one is the lesser of 1% of SunTrust Bank's net worth or \$500,000, plus any actual damages that the members may have suffered. SunTrust Bank has stated that during the Class Period, there were approximately 3,200 transactions involving different bank cards in which card holders were charged a transaction fee for making cash withdrawals from the subject ATMs during the Class Period. SunTrust Bank has agreed to establish a Settlement Fund of \$125,000 to settle the case. Class Members may make a claim on the Settlement Fund to receive a pro rata share, up to a maximum of \$250. The most an individual filing his or her own lawsuit could recover would be \$1,000 plus any actual damages suffered; so, the attorneys believe that settlement allowing Class Members to make a claim for up to \$250 is fair and reasonable. The Settlement Fund will also be used to pay the lawyers who filed the lawsuit their reasonable attorney fees and expenses not to exceed \$30,000, as well as to pay Terrell Parker \$2,500 for his services as the class representative.

On May 10, 2010, at 9:00 a.m., U.S. District Judge Robert L. Echols will hold a fairness hearing to decide whether to grant final approval of this settlement. **YOU DO NOT NEED TO ATTEND.** If the settlement is approved, all Class Members will be bound by the resulting judgment and court orders, and eligible Class Members will be entitled to claim benefits under the settlement.

You have three choices:

1. If you want to receive your pro rata share of the Settlement Fund, up to a maximum of \$250, you must submit a completed Claim Form, postmarked by April 20, 2010 to the Settlement Administrator at: Deborah Johnston, c/o SunTrust Bank, 999 South Shady Grove Rd., Suite 110, Memphis, TN 38120. Failure to submit a Claim Form will mean you receive no money but are still governed by a Release of your rights to sue SunTrust Bank and its affiliates for the ATM fee notice claims raised in this Lawsuit. Download a Claim Form at [www.suntrust.com/atmsettlement](http://www.suntrust.com/atmsettlement) or call Class Counsel at (731) 664-1340 to request a claim form.
2. If you do not want to participate in the Settlement you must write a letter stating, "EXCLUDE ME FROM THE SETTLEMENT CLASS IN PARKER V. SUNTRUST BANK." Include your name and address and mail the letter to the Settlement Administrator at: Deborah Johnston, c/o SunTrust Bank, 999 South Shady Grove Rd., Suite 110, Memphis, TN 38120. Your letter must be postmarked by April 20, 2010 to be valid.
3. If you think the Settlement is unfair, you may object to it by writing a letter, including your name and address, and stating the specific reasons for your objection and filing it with the Court at Clerk's Office, 801 Broadway, Rm. 800, Nashville, TN 37203, on or before April 26, 2010, and sending a copy to Class Counsel at: GILBERT RUSSELL McWHERTER PLC., 101 North Highland, Jackson, Tennessee 38301, and to the Settlement Administrator at: Deborah Johnston, c/o SunTrust Bank, 999 South Shady Grove Rd., Suite 110, Memphis, TN 38120.

For more information, visit [www.suntrust.com/atmsettlement](http://www.suntrust.com/atmsettlement) or contact Class Counsel: J. Brandon McWherter or Clinton H. Scott at (731) 664-1340.

**DO NOT CONTACT THE COURT FOR INFORMATION, AS IT WILL NOT BE ABLE TO ASSIST YOU.**